

Congress of the United States
Washington, DC 20515

April 15, 2016

Commissioner R. Gil Kerlikowske
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, DC 20229

Dear Commissioner Kerlikowske,

The Pacific Crest National Scenic Trail (PCT) is a magnificent and unique 2,650 mile voyage spanning mountains, forest, and desert and utilized by hundreds of thousands of outdoor enthusiasts each year. Unfortunately, hikers seeking to traverse the PCT from its northern most point on the Canadian side of the border are unable to legally do so because there is not currently a U.S. Port of Entry there. We ask for your swift attention in rectifying this obstacle to fully enjoying one of our country's most treasured scenic trails.

In 2010, the Spokane Sector of the Customs and Border Protection (CBP) sent a letter to the Pacific Crest Trail Association and the United States Forest Service asking them to inform hikers of current laws, and the consequences of hiking the trail southbound from its start on the Canadian side of the border. This was the first time that hikers were issued such a warning, and at the time, it was reported that according to the CBP, there had not been any particular incidents giving rise to the new directive.

The penalties outlined were a criminal penalty of up to one year in jail and a \$5,000 fine plus a civil penalty of \$5,000 for the first violation and \$10,000 for subsequent violations. It is our understanding that CBP has deployed drones and other means of patrolling the area for purposes of enforcement.

This is in sharp contrast to the process for northbound entry into Canada. Hikers traveling north on the PCT seeking to cross the border from the U.S. into Canada can legally cross the border by obtaining an approved Application for Entry into Canada via the Pacific Crest Trail from the Canada Border Services Agency (CBSA). At the end of the trail, hikers show their ID and approved application to Canadian officials at Manning Provincial Park headquarters. This arrangement came about through a collaborative effort between the Pacific Crest Trail Association and Canadian officials. It is our understanding that equivalent efforts by the Pacific Crest Trail Association and the USDA Forest Service Pacific Crest Trail Manager to engage CBP in finding a similar solution have been entirely fruitless thus far.

Additionally, CBP maintains the seasonal Ely border station in the National Forest Service Complex in Ely, Minnesota. According to CBP materials, this station serves individuals entering the U.S. from Canada via the Boundary Water Canoe Area during the summer season, from May 26 through September 8. Travelers apply for an I-68 permit, which can be done in person at the border station. After applications are granted, travelers who obtain this permit can enter the U.S. from Canada for recreational purposes, and report their arrival to CBP by telephone.


We therefore request follow up from your office on the following questions:

- What was the impetus for the 2010 change in enforcement?

- How many specific incidents posing a threat to national security occurred before and after the 2010 change in enforcement with respect to hikers crossing the northern border of the PCT southbound into the United States?
- Has CBP explored the possibility of establishing a headquarters, either seasonal or permanent, on the PCT mirroring the Canadian's post at Manning Provincial Park? If so, what obstacles to establishing a new CBP post were identified?
- Are there differences between the northern border crossings on the PCT versus the Boundary Water Canoe Area that justify the CBP's decision to maintain a seasonal post at the latter but not the former?

We look forward to your response at your earliest convenience. Thank you for your attention to this matter.

Sincerely,



Suzan DelBene
Member of Congress


Earl Blumenauer
Member of Congress


Donald S. Beyer Jr.
Member of Congress



Suzanne Bonamici
Member of Congress

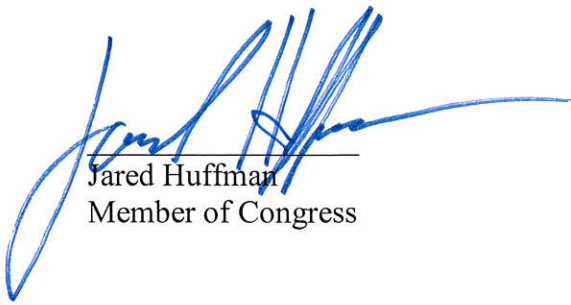

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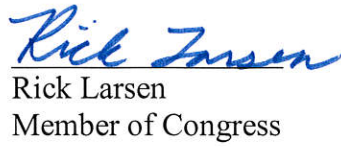

Denny Heck
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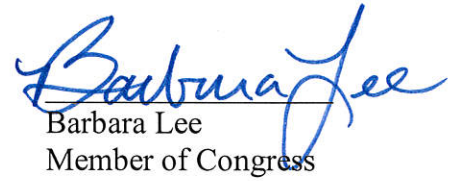
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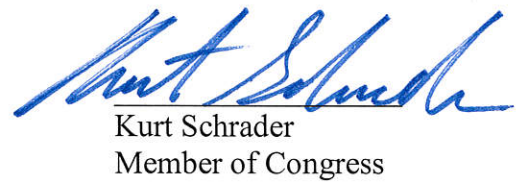
Rick Larsen
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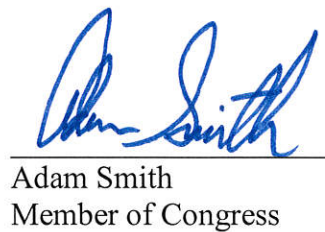
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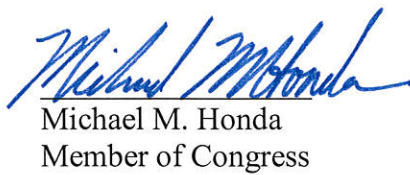
Kurt Schrader
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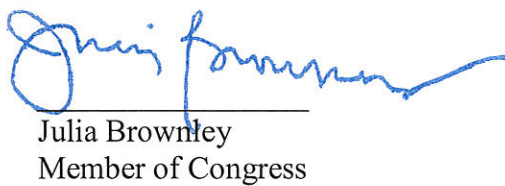
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